



**North Dakota Emergency
Response Commission
PO Box 5511
Bismarck, ND 58506-5511**

State Emergency Response Commission Minutes

**Commission
Members**

Office of the
Governor

Division of
Homeland Security

Office of
the State Fire
Marshal

Division of State
Radio

ND Health
Department

State Highway
Patrol

Office of
Management
and
Budget

Office of
The Attorney
General

Workforce Safety
& Insurance

Department of
Agriculture

Department of
Transportation

Office of the
Adjutant General

Oil & Gas Division
of Industrial
Commission

ND Insurance
Department

Dakota Plains
COOP

Tesoro Refinery

ND Motor Carriers
Association

The 107th meeting of the State Emergency Response Commission (SERC) was called to order by the State Emergency Response Commission (SERC) Chairman, Greg Wilz, on Wednesday, June 10th, 2015 at 1:30 pm in the North Dakota National Guard, The Adjutant General's (TAG) Conference Room, Building 30 Bismarck, North Dakota.

As the roll call was conducted, Chairman Wilz asked each member to introduce themselves and to identify the agency they represent. It was noted that a quorum was achieved; but the, Attorney General's Office, ND Department of Agriculture, ND Insurance Department and private industry, Dakota Plains Coop were not represented.

Chairman Wilz then had the guests in attendance introduce themselves. First was Laurie Reed representing EPA Region 8 who related that she works hazardous material issues? The next person identified was the Bowman County Emergency Manager, Dean Pearson who is also the Bowman County Tax Equalization Director and the third person was identified as the Griggs County Emergency Manager, Bob Hook who is also the Griggs County Sheriff.

Chairman Wilz then related that the Secretary had sent out a copy of the minutes from the 106th SERC Meeting and all members should have had a chance to read them. SERC members were given a few minutes to quickly read through the minutes and the Chairman related that he would entertain a motion to approve the minutes. Captain Pederson representing the ND Highway Patrol made a motion to accept the minutes from the last meeting, which was seconded by Kathleen Spilman, representing the ND Motor Carriers Association. The motion passed unanimously.

Chairman Wilz then asked the SERC Secretary, Ray DeBoer to identify the documentation in the packets provided to the members. The items were identified as a SERC Member Contact List, the NDDDES Quarterly Committee report and lastly copies of the Regional Hazardous Materials maps.

Committee Reports

Secretary DeBoer then provided copies of the ND Department of Emergency Services (NDDes) Reporting, Planning & Outreach Activities Quarterly report which was discussed

DeBoer then went on to discuss the documentation in the folders provided to all SERC members and guests. The information in the committee report has been provided by the ND Department of Emergency Services (NDDes) grants section, training section and lastly the hazardous chemical preparedness and response program section.

Old Business

Karen Hilfer the grants specialist for the Division of Homeland Security provided the following update on the Hazardous Materials Emergency Preparedness (HMEP) Program. Karen related that grantees are spending their funds, slowly, but that's fairly typical. Most of the activity normally takes place in the summer and so far, no one has requested any changes or anything to their grant requests, so that's always good. Our grant application to USDOT was submitted earlier this spring. This week they did ask for a bit of additional information, which was sent off earlier today. This year there have been fewer questions than we've had in previous years. I see this as a good sign. As far as the other grants, Deb LaCombe has included that information in the quarterly report.

Renee Loh representing the ND Firefighter's Association (NDFA) provided the following update. She related that the NDFA had just returned from the state convention and relayed that some of the firefighter's at that convention received awards for 55 Years of Service. What a wonderful accomplishment in commitment to the fire service and to the public.

Renee echoed the statement from Karen Hilfer indicating that things have slowed down just a bit. She continued on and stated that the NDFA is right now planning on having a fall fire school in Fargo on October 16, 17 & 18, 2015. One of the attendees will be the National Volunteer Fire Council. The fire council has a brand new class that will be presented and will be working with the fire departments on assisting them with recruitment and retention. There are 34 classes being offered at this particular school in October. Also mentioned by Renee was that NDFA had purchased some new trench equipment and there will be a class on this topic. Also being planned is a "live" big rig extrication class. Some of the classes being presented at the Fargo Fire School are some that cannot be presented during the annual Minot Fire School due to the weather conditions. The plan is to bring the fire blast trailer to Fargo.

Renee continued her report by mentioning that they purchased a new server for all their documentation and mentioned that NDFA has a new server that is 100% better than what they did have. Also related was that the NDFA is working with the state Information Technology Division

(ITD) who is assisting them with developing a database for all firefighter information. This database will help other state agencies that have a need for information on firefighters throughout the state.

Renee also stated that the NDFA will be involved in a panel discussion along with emergency managers to discuss recruitment and retention efforts, training of firefighters at the ND Emergency Management Association (NDEMA) Conference which starts on August 31st in Bismarck.

Lastly Renee related they are working on a Hazardous Materials Operations Video which will be about 20 minutes in length and will be a part of their existing program. The plan for the video is to provide guidance and instruction on when and how to contact the ND Department of Emergency Service. Information will be provided showing who takes the call and then the actions that occur after a call is received. Other information included will be how the Regional Haz-Mat Response Teams are contacted and called out and what takes place when that occurs. Should be very informative for all.

Lt Col Dave Hall representing the ND National Guard asked Renee if there was any chance, that the new NDFA server would have any operational data on fire responses. Like a record keeping database for both wild land and urban fires, or will it primarily be administrative?

Renee responded that it would only be administrative at this time, but they will consider looking into having the other information possibly added in the future.

New Business

Chairman Wilz commented, let's move on to New Business and this is an opportunity for us again as a SERC to hear from a couple of the local emergency planning committees and on the docket first up is Bowman County.

The Bowman County Emergency Manager (Dean Pearson) then introduced himself. Dean handed out copies of the minutes from the last Bowman County LEPC meeting to the SERC members. He started with stating that they had a meeting planned for June 1st, but they ended up having some people out, so they didn't have their scheduled meeting. Dean pointed out the agenda for the meeting on the first page of the minutes. He continued and related that they are planning on having their postponed meeting the last week of June. The second and third page that we have in the handout is the minutes from the meeting that was held in March. The LEPC meets quarterly in the Emergency Operations Center (EOC) of the courthouse in Bowman and those are the minutes of that particular meeting and then the very last page is our hazardous chemical and preparedness funds/account balance that we have at the courthouse that we get up from people that have hazardous materials that send in the statements at the end of the year that we get throughout the

year.

Dean continued with some information on issues they have been working on. They've been working with a training and exercise plan through the emergency management office. They vet everything as far as plans, any kind of operational plan, response plans, planning documents, everything to the LEPC. So they are an active part of, participating in every plan that the county puts together, and I think we submitted the training and exercise plan now to the state, so it has been finished and sent in. They review the Tier 2 reports and compare those to what is received from the state. I know there have been a lot of changes over the way that the oilfield reports over the last couple of years. We go through those. We ran a safety camp in conjunction with the extension service for young children in the community. If anybody's interested, I'll pass this card around. We had quite a few kids attend. For young kids, its farm safety, home safety, community safety and school safety, where they can learn different safety things. That's one of the activities that we ran. We've got Homeland Security grants through there.

Dean relayed that the LEPC contacts the railroad every year and has an annual commodity flow report that they review to see what's actually coming through the community. He related that he had a copy of that flow study if anyone was interested in reading it. He continued with, we don't have a lot of Bakken crude coming through the south line, but we do have a lot of alcohol. We get about (6) - 8000 gallon tankers full of alcohol every year. We did have an issue with the alcohol in Montana two years ago when that one exploded out by Plevna that had just came through our town, about an hour before. So we have some issues but it isn't the Bakken crude issues, its alcohol issues.

Expenditures of funds. We try to keep our balance fairly low, but enough in case we have any emergencies. We don't have anything right now that's allocated. We usually try to do that in June when we get all the new funds in with the big amount of money that we get from the state. We try to figure out what to do and we have some standing requests that are for pagers, for some of the fire departments. We have some issues with radios we have and we are attempting to get people to do the programming. There have been issues as we require some additional frequencies. We are considering using some of the funds for radio programming. These are requests that have not been approved. They are just requests that are pending that I know of right off hand. Dean also mentioned that the LEPC has been working on their multi-hazard mitigation plan which has also been submitted. He did not bring any copies of the county's hazard mitigation plan, but he did bring copies of their hazardous materials response plan and their evacuation plan that is part of the responsibilities of the LEPC. Now on to training. Throughout the year, we have a group of

volunteers that come in and work at the Emergency Operations Center at the Court House and sort of act as our dispatch personnel if we have emergencies. We provide training for these personnel so they can act when it is necessary in a time of an emergency, be it storms or actual emergencies. If we have training sessions or if we have storm watch or actual emergencies.

SERC Chairman Wilz then asked Mr. Pearson about the make-up of the LEPC in Bowman County.

Dean replied, our LEPC has changed. Our president is Andrea Bowman and she's the county agent. She's been in for one year. We had a gentleman in there that worked for the hospital that had been the president for the previous 8 years and he wanted out as of January. Karla German is on there as the assistant emergency manager. She's also the 911 coordinator and also the town courthouse IT person. Chad Luten is on the list. He's a new person that just came on in January. He works for Diamond Resources, which is an oilfield clean up service. He replaced a gentleman that got off that was on there from Continental Resources. Rory Teigen on there as the sheriff and he's also the county planning director. Chad Welsh is on there, he's the training officer from Highland Partners. They have a gas plant in Bowman County, and then myself for the time being. That's who represents our committee. We had our representatives that were there for Conoco Phillips, and they went off at the same time as the gentleman did from Continental and we also had another individual in January that went off that worked for Scranton Equity which is a large farm cooperative in town.

Chairman Wilz then stated, so Dean, it sounds like you've done a great job of getting private sector participation on the LEPC. I didn't hear a lot of like, fire chiefs and stuff like that, do they participate in any way?

Dean responded, Chad that works for Diamond H is also a volunteer on the ambulance squad and Chad Walsh is also the training officer for the Bowman Fire Department.

Wilz then replied, Okay, so you've got some coverage.

Dean then also stated that many of the LEPC members wear many hats.

Chairman Wilz then asked SERC members if anyone had any questions for Mr. Pearson.

Kathleen Spilman, representing the ND Motor Carriers Association then asked Dean; on a scale of one to 10, how would you rate your counties preparedness to deal with the expected and unexpected emergencies that occur?

Mr. Pearson replied, I'd say we're probably a 6 or a 7.

Ms. Spilman then asked Mr. Pearson, if there was one thing that the state SERC could do to help you raise that number, what would it be?

Dean replied, I would say training. Training is really important. I mean, we have a hard time, just because, two things in Bowman County. We're at the end of the line. No paid staff for anybody. Everybody's a volunteer, and we don't have the capability of doing a lot of hazmat or anything like that. So I would say if we had some training that, not necessarily that our group would use, but more so to say who we could call and then maybe get those people to come down and work with them so if we did have an incident, everybody would sort of know what they are doing. Help build their confidence.

Renee Loh representing the ND Firefighter's Association related, I would like to offer to you that training. We would come down anytime and do hazmat ops for you. And it's free of charge and we would love to do that. We have some instructors down in that area, so please call.

Secretary DeBoer then stated, Dean, I know, what is it, every year or every two years, you had a great communications exercise that you do. You pull out your command trailer and stuff like that. Is it, in association with that or are you looking for specific training?

Dean replied, I think the biggest thing is, we don't have the Bakken crude come through, but obviously, you know, we've got stuff just about as bad. The question is you know, we're at the end of the line. You can't get much further south and west in North Dakota than where we are, so there's a time element involved if we had to call on someone to bring down specialized equipment. It's basically, what do we do in the interim? We need to get the local people trained and insure they are trained to the level that is needed for the particular incident and can be used until specialized teams can respond to Bowman County. You know, who do we contact, what information do they need, what information do we need to get, what do we need to do so when the other people come down we know what their jobs are so it isn't like, you know, everybody's off doing their own thing. I would think that would be one of the things. I know we talked about it on hazmat before. We talked about mass casualty's situation. We talked about search and rescue, but some of those instances, it would be nice to have the people that we may participate with come down and actually exercise and visit and train with us.

Ms. Spilman responded, so if we could get one of the oil field companies to bring their regular equipment, and do an equipment deployment exercise and you set up a scenario in your county to get an opportunity for everybody to come down and meet each other and walk through something like that, which would be something you would think.

Dean replied that something like that would work. He continued by stating that in the past, possibly 5 or 6 years, there had been training in which agencies, like Burlington Northern Santa Fe

(BNSF) and others conducting training in the area. It would be nice to have some training on ethanol as there are ethanol trains coming through the county.

Kathleen Spilman related that she would attempt to see if she can get (TRANSCAER) Transportation Community Awareness and Emergency Response to North Dakota and possibly to Bowman County and put on ethanol training next year. Dean then mentioned that would be good to have as most training in the state occurs in the larger cities and having something in Bowman County or the southwestern portion of the state would be good for the emergency responders. Also, Bowman County is a main thoroughfare for ethanol coming into the state.

Karen Hilfer representing the DES Grants Section then stated that his LEPC has a pretty ambitious schedule along with holding quarterly meetings. I compliment you on accomplishing that. How do you keep your people invested?

Mr. Pearson replied, they just are. He continued with mentioning that the LEPC has never struggled to get members to be on the LEPC. We try to rotate people through so they don't get burn out. I think that's the biggest thing. You know, they're on there for 4-5 years at max probably, then they usually excuse themselves and find someone else to join.

Ms. Hilfer went on to state also that she got the impression that the LEPC is not meeting, just to have a meeting. They meet and actually have things that they work on and have to make decisions about which seems to help. Mr. Pearson agree with her statement.

Chairman Wilz thanked Mr. Pearson for his presentation and the information he had provided. Mr. Wilz then went on to introduce the next presenter, Bob Hook from Griggs County.

Bob started with indicating how he was pleased to be invited to the SERC meeting. I don't have handouts, so I think I'm going to talk about two different avenues of Griggs County. We're right now in the process of doing our hazard mitigation plan, our grant committee meetings, and I think the most exciting part for me is #1, we're going to get our hazard mitigation plan back on track. Griggs County was one of the first ones to have an approved plan in North Dakota, and that one just expired in 2010. This process has brought people to the table in the community to include not only the LEPC members but private industry, the local clergy, emergency responders and local government. They are all on board with this and they are excited about it. Having this type of interest and interaction between all those involved in the planning committee has brought realism to them; and provided an insight to what their role is in the planning process that has been pretty exciting.

But recently, that was dealt a blow. The person doing our process was fired from his job and now we learned last week that they are bringing him back to finish up our grant and that's a benefit

for us as several of the members of that committee said if he didn't come back, they were done. In Griggs County we have been down this road before and it didn't pan out the last time. So that's been a bit of a rocky road for us, but our plan is, and still is, once we finish with the grant, most of these people have shown interest in wanting to be part of our LEPC. So that is our next step. We are going to look into that and we were planning to start those formal procedures to get the LEPC formed up and put into place.

I'm kind of glad Dean is here. The next part of my presentation is that was Griggs County has applied for an EOC grant. If any of you have been watching the news or read the papers in the last year, you know Griggs County has been quite a hot bed of information, good or bad. When we started that process, I went out and visited with Dean and he walked me through his EOC and showed me their procedures and we pretty much were going to use that as our example for ours. What Dean has done in Bowman County is quite successful and quite simply formatted and it would fit well in Griggs County.

One of the questions, I would assume that would be asked today is; what are some of the struggles in my county? I would say it's local government buy-in. I now have a complete new County Commission and they're not interested in emergency management or those, type of things.

They don't see the need or the purpose or the buy-in for that. I don't anticipate them allowing me in my position as the emergency manager to really partake in future grants of any source. They don't want any part of that kind of thinking, so that's been a real struggle. The past commission, which was subject to the recall process, they were on board with this. They were the ones that got the hazard mitigation plan going. Then when the new Commission took over, all the planning processes that had taken place almost crashed. They weren't going to help fund that so we were stuck between a rock and hard place. I think one thing that put them in that mode was when the City of Cooperstown needed to relocate their water well. The new Commission was not eligible for grant funding because our plan wasn't completed. We had fallen in a gray area between expiration and getting the new one going. Had there been a plan in place they would have helped fund some of that. I tend to think that was a little bit of a motivator to get them on board with some of these things that are occurring now but that is going to be a real struggle for myself or whoever fills this seat in the future. As far as the LEPC goes in Griggs County, we hit it running pretty well in the early 2000's and then it crashed. We had a lot of staff changes, a lot of position changes, and like what Dean mentioned, everybody on my LEPC is a volunteer, and they are all involved in the community. That's always a struggle in these small communities and we've had the same problem in

Griggs County as everybody else has and now this last month or so I've had three people, no, four people who were on our LEPC that have left and took a different job in a different community. That's been a struggle for us too and we are hoping that we can get that remedied quickly and move on.

Chairman Wilz then made the statement that Mr. Hook was trying to rebuild the Griggs County LEPC.

Bob responded with "yes" and continued with stating that with the personnel that have been on the hazard mitigation planning committee, it has shown them the importance of their efforts, where as previously they did not quite understand the rationale. Bob continued with stating that he had two of their responder agencies that had been involved with the Northwood tornado, but they did not get in deep enough to understand the importance of what planning and pre-planning means to the process. I think now with what has taken place so far has shown them what each person's job is. I think that's really showing the importance of what we're trying to do here.

Kathleen Spilman, representing the ND Motor Carriers Association then asked Bob, on a scale of one to 10, how would you rate your counties preparedness to deal with the expected and unexpected emergencies that occur?

Bob replied with, based on the hazards in his community, he thought they would be at a "4". He went on to relate that several personnel from the ND Department of Emergency Services, Kathleen Donahue, Jeff Thompson, and Ray DeBoer attended one of their planning meetings and prior to that particular meeting, they had the chance to tour one of Griggs county's new agriculture facility which stores millions of bushels of grain, plus they were able to tour a propane facility located at the same agricultural facility which has a million plus gallons of propane on site. This agricultural complex is a partnership with a Cooperative out of Minnesota and they have been a good partner so far. The co-op has hired its own emergency manager for the facility. She is a graduate of the NDSU Emergency Management Program and is well trained and desires to be a member of the Griggs County LEPC.

Mr. Hook continued with stating that one of the issues that concerns him and provides some stress is the crude oil trains that come through his county. He related that there had been a train derailment in Griggs County back in 2006. A train fell off of the high bridge in the county. Those types of thing happen and the county has some potential for a disaster that big. He stated his county is not prepared for something of this nature. We have good contractors and they are very helpful. Our firefighters in the county are all volunteers and the average age of the members is approximately 55 years of age. We used to have two ambulances, but they have combined into one now and is the

Cooperstown Ambulance. The ambulance service is funded with tax dollars to help offset their costs. Recruitment has gone pretty good for the ambulance. They have a waiting list of personnel for the ambulance service and we have seven (7) people on a waiting list for the fire department. That's pretty rare.

Mr. Hook continued and related that both the ambulance and fire services from Cooperstown can be counted on to respond when called. They work well together.

Ms. Spilman asked Mr. Hook how many emergencies have they had outside of normal personal medical issues. Things like an industrial transportation related incident in the last two to three years? Have there been more than two or three?

Bob responded that they have not had anything like that. What has been responded to has been mostly small scale. Things like an oil truck. Not a crude oil truck incident, but a truck delivering fuel oil. Mr. Hook then went on to state that he thought the last two large incidents they had were more on the personal side. We've had a couple missing individuals. One caught the paper, where a dog saved a child. That one was handled by the Sheriff's Office. That was a massive search for a three year old that got lost walking home and ended up a mile from his house. The dog laid down around him and kept him warm and alive.

I guess, right now, I'm a little leery about the future of our political climate. It's pretty tough. There's not much interest and positivity in anything we're trying to do, especially when it comes to money or anything. Mr. Hook related that the previous evening he agreed to do a table top exercise with Foster County using their Homeland Security's training money. The new commissioners refused to let me pay for that with the Homeland Security money, so you can see what I'm fighting with.

Chairman Wilz then stated that there have been challenges in Griggs County and added that DES has been trying to facilitate a way to assist them.

Kathleen Spilman then stated, it sounded like you had staff there and were physically present at one of their meetings to help provide support. There has to be some way to figure out what else to do in the county so that they spend the dollars they receive.

Mr. Hook related that he attempted to have joint training with another county and people were on board with the idea, but the County Commissioners advised them they were not going to use any of the county's money. Bob further related that he tried to tell the Commissioners in great detail that the funding they had was for training and exercising, but they denied the use. He continued with the fact that the Commission has the power to make the appropriate decisions, but they did not allow the use of the funding.

Mr. Hook then stated that Ms. Spilman had asked the question earlier, what could the State Emergency Response Commission (SERC) do for them. He continued and stated in his situation he felt that education of the local government in his county would be good. He also related that his community does not have a good grasp on technology. The Mayor of Cooperstown (the present LEPC Chairman) has been in office for a very long time and he runs the meetings. Things can't be changed as he was voted back into his position as he always has been. On the City Council there is only one person who uses a computer, so there are no emails that are distributed to get information out. Everything is done by mail and you hope they read their mail and not lay it down on a counter and forget about it.

Ms. Spilman then asked if it would do any good or be better received, say, that private industry like a Cenex Harvest States (CHS) came into the community and stated that they would like to do an exercise and would like the community to participate in that exercise.

Mr. Hook responded that he is at that point now and further stated that he thought the Commission would be on board as long as they did not have to spend any money to participate. He continued and stated that there might be some support but there would not be any fiscal support.

Bob stated that he is not sure what is going to happen, but once the EOC is completed, and they are coming up on that deadline, that his position as the County Emergency Manager will be eliminated. He stated that the Commission has been trying to go with another county and combine the two with one emergency manager. This is in an attempt to limit the number of personnel in county offices. There hope is that Barnes County or some other county will pick up the Griggs County EM position. Bob also indicated that his Commission does not participate in the State Level Commission meetings.

Kathleen Spilman then stated, so the County does not want to be troubled with Emergency Management as long as they can have someone else provide that service.

Bob related that it was not just Emergency Management, it is everything. They are looking at the Sheriff's Office. They had hired two new key officials in county government, but they quit within days of being hired. It's been rough he stated and went on to state that he will try to move forward with everything that has been discussed.

LT Col Dave Hall representing the ND National Guard then asked if any private entities could be sub-grantees of the training grants?

Karen Hilfer with the DES Grants Section related that, that is not an option. It has to be a government agency. She continued and related that they can work with some non-profit agencies,

but they have to work through government entities.

Mr. Hook then related his county had a lot of good momentum until there was the recall and the issues with the County Courthouse. The recall has stifled things in Griggs County as far as any future advancement.

Ms. Spilman then asked if the ND Firefighter's Association (NDFA) was considered a state agency or a non-profit?

Renee Loh answered that the NDFA was considered a sub-division of the state.

Kathleen Spilman mentioned that maybe NDFA could apply for grant funding and work with Griggs County.

Chairman Wilz responded that Ms. Spilman's idea could be looked at later.

Mr. Wilz then proceeded on to the next agenda item which is a discussion topic and I'll take the lead on that. Grand Forks Hazardous Materials Training Site/Oil Train Derailment is the agenda item and so here's just a little bit of the history. The Governor, prior to the legislative session had included \$3 million dollars in a general line item going into his budget for the legislature and it was really geared towards assisting fire departments that have to deal with a potential train derailment and the hazardous materials associated with it. That came through the senate okay and on the house side, it got chopped up a little bit, but we were able to salvage part of the \$3 million. Basically \$1.7 million, of it came out with specific language of which the department was provided with \$1.2 million dollars to assist and work with the City of Grand Forks to retool or add on to their training site to actually create a hazardous material train derailment site similar to what, is located in Pueblo, Colorado. That site known as SERTC (Security and Emergency Response Training Center). That \$1.2 million is obviously not going to be enough so we're looking to leverage some partnerships and call some people together and try to make this happen. The City of Grand Forks, if you've not been to their responder training center, has put a very sizable investment into that center. It's a wonderful place. They have got some of the best training facilities in the State of North Dakota up there right now, to include classrooms, breakroom/lunchrooms.

Bob Hook related that he had been to the Grand Forks training site several times and is a great place which is growing.

Chairman Wilz continued by stating, the City of Grand Forks has in concept agreed to spend another three-quarters of a million dollars to buy and annex into that center, 40 acres. It is ideal in that it is right next to a rail line and it is adjacent to, and sets up against property that they own now. We are in the throes right now of putting together a memorandum of understanding between initially

5 parties. Those entities will be SERTC, out of Pueblo, and it will be Grand Forks City, and it will be the firefighters of Grand Forks, the Training Center and DES. We're going to put together a team that starts working this to bring everything together. The folks from SERTC have been up to Grand Forks a couple of times and we've had meetings on-site up there. They're excited. The idea would be, that, Grand Forks would build, own, and operate and maintain the site, but the folks from SERTC would actually be the cadre that would come up and train and/or relocate and train on a permanent basis out of Grand Forks. So essentially what we would have is a SERTC North. The concept has gotten a lot of support. There are other states that are now trying to mimic the SERTC training experience. Our next door neighbor, Minnesota, is one of them, and we're going to start working and open up lines of communications with those folks and see if we, you know, can find a way that we, have two centers within 800 miles of each other. We are possibly looking at having a different focus at each facility.

However, having said that, the other interest that there is, is Canada does not have a center like SERTC and there is one province that is interested in putting a center together, but you know, with Grand Forks' location next to the border, there'd be no reason why that center couldn't serve on a regional basis to Canadian firefighters and/or folks that deal with hazardous materials so this is clearly a big thing for Grand Forks. When you think about it, if we can develop a center, we can draw a large number of people from the surrounding area, (Minnesota, South Dakota, Canada, etc). In the last year, we were only able to get 71 folks through SERTC, with 69 of the personnel who went there being firefighters. That doesn't begin to crack critical mass in terms of having, the very best training, at least in my mind, that firefighters should have in response to some of the potential train derailments that we might see in the State of North Dakota. So we're putting together a Memorandum of Agreement. The next step will be to put together a series of work groups, an executive group, and eventually we will grow the Memorandum of Agreement and bring in additional partners. We've already had initial conversations with Canadian Pacific and BNSF and they are also interested in supporting it at some level but to be defined in the future.

Wilz continued by stating one of the interesting things Grand Forks has recognized, is to meet the needs of your rural state. You've got to conduct this training in what they call the National Guard model which is weekends. Because so many of the firefighters are volunteers, it's extremely tough for them to take off 3, 4, 5 days off during a week. Many of them, if not most, don't get paid to do that training, and it's tough for folks to make a living and pay the bills and put food on the table when they have to take 5 days off of their job. One of the things we've talked with SERTC about is, the idea of

starting training on a Friday, finishing it on a Monday. They're very interested in that because obviously they're not doing weekends now down in Pueblo, so the staff quantities needed might be less and that's something that they're very interested in. The other part of that particular appropriation was \$500,000 was also provided to DES and that money is to be used to provide stipends to firefighters who have trained, professional training at SERTC and Grand Forks should Grand Forks be opened within the next year.

So, the idea here is, that, as it is tough to get volunteer firefighters to these particular courses, we would be able to now provide a stipend to off-set the salary loses that the firefighters would see during the week leaving their jobs, so that they can get at this training. I announced this last weekend at the Firefighter's Association conference that we will very soon put together a work group to include members of the Firefighter's Association, the Fire Chief's Association, and we'll put together a set of rules and numbers, or amounts that we reasonably could stipend out to get more people to these courses. If you've talked to anybody who has been through SERTC, they will tell you, hands down, it is world class training. The best that they've ever had and I think, in my opinion, that's one of the major things we can provide our people is the best training possible.

Lt Col Dave Hall asked if DES was pursuing some federal dollars that can be applied towards the Grand Forks training project as well?

Chairman Wilz related yes we are seeking federal funding. We're doing a couple of things. Obviously we're able to access some of the Homeland Security dollars, though there are some huge caveats in buying training items. We looked at doing that for some NDFA training items a few years ago but there are still some things that we can do through grant dollars.

We also had a meeting with Senator Heitkamp's Office and you may not be aware but she was fairly instrumental in providing an additional \$5 million last year to the National Domestic Preparedness Consortium (NDPC). And the NDPC includes SERTC and it includes TEEX out of Texas and a few other key nationally recognized trainers that have met DHS standards. And that \$5 million has gone a long way in providing that training free of charge to firefighters. The National Railroad Association has also provided funds. We are working with her office as well. Lastly Wilz related, we're looking at anything and everything that we can get. We'd like to build this center to the highest standard that we can. We don't need to mirror SERTC, but we need to mimic it at some level.

Captain Eric Pederson representing the ND Highway Patrol then asked Chairman Wilz, is that something that they anticipate getting used this biennium or are we looking at just the lead time and it will take longer than that to get it up and running?

Wilz responded, right now there's a goal out there, it's a little bit fuzzy, but we'd like to have our first trial course a year from now. And when I say a year from now, probably a year from sometime this summer. We're looking at ways to streamline building the facility, such as, bringing in the classrooms and the buildings that we need that would be similar to what you see out in the oilfield. Pick up and move, put down, hook up, and we've got classrooms and training areas.

Captain Pederson then related that he attended SERTC in Pueblo last November and reported that the training received and infrastructure were excellent.

Doug Scheetz representing the Tesoro Mandan Refinery asked if DES has reached out to private industry as well for support?

Wilz replied that the agency has not yet done that. We're just really in the infancy of putting together the basic coalition of agencies but we will want to partner with everybody and anybody who has got a nexus to this stuff and we will, whether that's in kind of dollars or technical support. At this stage of the game, we really don't know what we need yet. We don't know what quantities or the specifics, but we will make a good plea to industry as we move on here to help us build this. The real belief here and this isn't my idea, this came out of Grand Forks, you know, if we build it, they will come. I think this is one of those Field of Dream kinds of moments here. There's a real need for more training of people and I think if we've got the facility to do it, we will see the students show up at the door. Any other issues, questions? Thoughts on that? Ideas? Okay, let's move on to the next item and that's new rules for oil trains, and Jeff, you want to take that one?

Jeff Thompson representing the Haz-Chem Division of DES related that he had sat in the press conference when they released the new rules for the rail cars. There are four main points to the new rule. The first point being, unit trains moving over 30 miles per hour and 70 cars long are going to be required to use the electronic braking system. The second rule, all cars conforming to the new standard rail car, that's the shields, the extra thickness and the valve protection. The third element of this was to determine safer routes and have a contact for information on those routes. And the last one was in threat areas. Reduce the speed to 40 miles an hour. There's tons of questions that came out of it. One of them that was asked was "what was the timeframe for retrofitting or getting rid of the DOT 111 cars." They're looking at 5-7 years. They're going start with the oldest cars first without jackets and then move through all of the jacketed cars.

They wanted more clarity yet, and the DOT 111 cars that can be retrofitted must be identified by January of 2017 and all retrofitting must be completed by the end of that year. Canada will be mirroring what we have out. This is because we have so many rail crossing borders, even though

they have less cars and can push the dates quicker, they felt it was important to make sure that the message was the same to all the companies.

Then they talked about this information specialist. There was a lot of concern that, that was going to take away the railroads responsibility, is probably the best word to describe it; to notify the SERC of the changes in the trains. That has been clarified since and it is not going to affect them having to notify us. There's a lot of concerns with this section of safer routes. Safer routes are not necessarily safer, but sometimes there are environmental impacts or impacts for hard to get to areas to respond to, so the railroad is putting together 27 criteria. Criteria, to determine if it's actually a safer route. That information has not come out yet, but they are going to use rural departments and training abilities and equipment staging as part of that criteria. Just because they are not running through town anymore, doesn't mean it's necessarily safer. So there's still some things that have to be clarified with that but that was kind of the ruling in a nutshell.

Chairman Wilz then stated that the initial rumors that came off of that particular announcement was that the SERCs can no longer get additional information from the railroads and when was that all going to start? It took us a while to chase that down but as of right now, the SERCs, and I think we've got an official clarification out of Denver from a very knowledgeable and reliable individual, Mr. Tim Gablehouse.

Secretary DeBoer then mentioned, from the Regional Response Team (RRT) meeting and the NASTTPO Conference, Tim Gablehouse indicated that he didn't feel that there was going to be much change all. Tim related that documentation talked about notifying Fusion Centers with this information as well, but he didn't see it happening very soon.

Chairman Wilz then mentioned, so they continue to feed us their information and there'll be no change in our initial process, at least for now, and I think since the last meeting, Ray, we've had one additional report come through, correct?

DeBoer responded with yes and related that Jeff Thompson had sent that information out, it was on or about the 20th of May or something like that.

Wilz then went on to the next item of business, a summary of Tesoro Pipeline Exercise. Jeff, Ray and Amy.

DeBoer started with stating that the Tesoro Pipeline Drill that occurred March 10th and 11th. DES was invited by EPA and Tesoro to be part of a 2 day drill. This drill was up in Watford City and it was one of their lines with a release of 50,000 gallons of crude oil. The group that was up there, this was there second training together as a team. They do their training in stages. They had had one

training already and we went to assist there safety, planning, logistics and health personnel with how ICS works into the system. Well, at this exercise, they changed it up and they had people working different positions than they were used to. I think the ultimate goal is to be able to utilize people as back fill or try to have, you know, 2 or 3 deep in positions. Steve Way from EPA attended. There were members of the Three Affiliated Tribes and it was a good exercise. Everyone learned a lot and it helped these people. They had their briefings on health and safety and logistics, etc. They had the opportunity to learn how the Unified Command works. During the “Hotwash” after the drill, all participants were glad to have received the training. They were able to see how everything works together and it gave them a further understanding of the Incident Command System (ICS).

Amy Anton, the DES Operations Chief mentioned, I think it was just a good opportunity, to go up there to meet some of those folks and build those relationships, get that understanding that if they have an incident they know, what their response is going to be, what resources they can bring to the table, and then educate them on how the state can assist and what comes of it. Lastly she related we made some contacts and they are going to be providing us with a listing of some of their emergency response trailers and additional resources. So it was definitely a worthwhile exercise to attend and participate in and we hope to do that with more of the companies in the area as well.

Jeff Thompson related that some of the participants got hung up on the forms a little bit. I think they got trying too hard to fill out the forms for this level of training, but other than that, I think it went really well.

Ms. Spilman asked how many personnel participated.

Secretary DeBoer replied that there were around 40 to 50 personnel

Kathleen then asked if it was just people from McKenzie County or the Watford City area.

DeBoer related that there were personnel from Anacortez, WA, and Fort Worth, TX representing Tesoro; there were Enbridge Pipeline personnel, there were personnel from the Three Affiliated Tribes, the Mandan Tesoro Refinery and EPA Region 8.

Ms. Spilman then asked if Tesoro or EPA facilitated the exercise.

Secretary DeBoer replied that, Tesoro had facilitated the exercise. DeBoer went on to state that the agency DES, is receiving more and more calls from private industry and EPA inviting the agency to participate in planned exercises. By being invited to these drills and exercises, DES staff can participate and then we can come back and brief the SERC to show that we are working with these groups. To meet and greet these people and learn from each other.

Chairman Wilz then presented the next item of business on the agenda, an Overview of the

NASTTPO (National Association of SARA Title Three Program Officials) Annual Conference.

Jeff Thompson related that both he and Secretary DeBoer attend the NASTTPO Conference in Portland, Maine. We went to the conference for the CAMEO (Computer-Aided Management of Emergency Operations) training. The entire CAMEO Suites have been changed. These changes will make it easier for agencies like ours that have their own Tier II reporting systems, web-based systems to integrate our hazardous materials facilities back into CAMEO. We are taking steps to make that happen because CAMEO is definitely a huge first responder application when having to respond to a Haz-Mat incident.

The first day was definitely huge in getting through the information and finding out how they have changed things so that we can better cross the lines of the different programs. Then we went through the rest of the conference and took in a lot of information about how to deal with everything from specific spills with Bakken crude to tribal issues that are being felt around the nation, right down to Executive Order 13650 which came about because of the West, TX fertilizer plant explosion in 2013.

Secretary DeBoer related that the current Administration is pushing EO 13650 very hard in an effort to reduce disasters of that type. As Jeff said, CAMEO with its new suites was different. DeBoer related that he had CAMEO training previously but it has been over 10 years since that training was received and it's not being used every day. There were actual programmers from NOAA and EPA that have developed CAMEO. The programmer from Oklahoma Department of Environmental Quality has been working with CAMEO for a very long time and he showed off the power of CAMEO and how it can be used on a daily or as needed basis.

Ray mentioned that there was a presentation by Dave Finger representing the National Volunteer Fire Council. His presentation was very good and he provided information that everyone in the fire service around the nation is seeing as well. A lot of fire departments are training their personnel to an operations or technician level, but they don't have the equipment to be able to utilize at that level. So some agencies are looking at well, why should we train to that level if we don't have the equipment? This is something that everyone is fighting, as I mentioned previously and it was a big issue at this conference. The question is: how do we-how does everybody get around that?

DeBoer continued with stating that there was a presentations from several Tribal Nations, that was very interesting. One of the Tribal Officials related, tribes, nationwide, pretty much have the same problem as the counties. He continued with stating, I learned, and you can too, it's not meant as anything, it's a cliché, and this gentleman, this speaker says, "you do everything on Indian time,

nobody does anything on your time”, and you have to understand that when dealing with the Tribes. Something that you can get done, let’s say in a couple weeks’ time, might take you several months or longer, as long as you understand that and build that repoire. He also related that you need to know the tribe you are dealing with. In some places, the tribal chair is a chairman or is president or whatever.

Jeff then called on a guest to the meeting, Laura Reed, representing EPA Region 8 to provide information on Executive Order 13650.

Laura started with saying, so, there are a couple things about EO 13650. First of all, it really comes down to just making the agency’s work better together from a federal level and then to be more effective with the local communities. She mentioned that there was a lot of information about the West, Texas incident, that wasn’t shared. So that’s really what it comes down to. We in Region 8 are very fortunate because, we happen to have a person that transferred in to EPA from the Department of Transportation who was given the responsibility for the Executive Order, to carry it out over to Region 8. Almost everybody else in EPA has had to absorb that responsibility themselves. She’s really been focused on the Executive Order and that’s been to our advantage. So the region has worked with OSHA and with Department of Homeland Security to figure out what can be offered to the states.

What does this really mean, because it’s so vague? The directive isn’t really specific so it takes a lot of creativity to figure out how to actually orchestrate it or enact it. I would say one of the things that we discovered right away is that we don’t really know what the states want, or need, or how can we help? How can we improve it? We made phone calls to people in the states in the Region (we talked to North Dakota) and each state has a different need. It wasn’t like, we’re saying, oh yeah, we’re hearing the same thing over and over again. Each state needs a little different kind of support from the region, or from federal agencies. And from North Dakota, maybe you can correct me if I’m wrong but, the most important thing that we could contribute is training, does that sound right?

Secretary DeBoer related that it is the training and EPA has, for the last several years asked, what kind of training do you need? He continued with stating in North Dakota we have been asking the same questions to the LEPC’s and Emergency Managers. Even Bob related that it’s training and education.

Ms. Reed replied, yes, but it is sort of vague because it’s cat and mouse. We’re trying to

figure out what you need and then provide it and you're trying to figure out what the local communities need. It's really just finding out how the federal agencies can work better together and then work better with the local communities. Ms. Reed continued with stating, I'm new to government, but standard operating procedures are what everybody looks to. Each region is sort of mandated to come up with standard operating procedures to enact the Executive Order. What our region has come up with, and these are not set in stone, but one would be improvement to the TERA Viewer. TERA, formerly known as the Environmental Justice Geographic Assessment Tool, is a mapping tool that allows users to create maps and generate detailed reports based on the geographic areas and data sets they choose. TERA View includes data from multiple factors that may affect public and environmental health within a community or region, including: demographic, health, environmental, and facility-level data. This is the GIS software in which users can map out all kinds of facilities, pipelines, waterways, dams, infrastructure and counties. This is free software that we make available to our region. We really haven't gotten that communicated so there's going to be a little bit more of a focus on getting the information out about the viewer. The second thing that I can see that we as a region could do is, have referrals between our agencies. As an example, in the past, OSHA and Homeland Security and EPA and other agencies weren't necessarily talking to each other about what they were observing. Now EPA can go into the Risk Management Program (RMP) inspection reports and can observe something that maybe OSHA would need to hear about. We'll have the procedures in place to do referrals so we'll be more efficient and that's one thing that I think could really help, if we could be more efficient rather than redundant.

Then there are three other standard operating procedures. One is state engagements. We are attempting to reach a point in which the states will hopefully feel we (EPA) is more involved and working with you. My goal is to be as accessible as possible to you. Then there are the typical operating procedures, which I can't really address as much right now; is best practices. We will share best practices that we see in other states and other federal agencies and pass those along to the other states.

There was one thing that came out in our call with North Dakota that we need a little help with or were looking for more assistance. It was for us to provide some sort of an EPA course, or something of that nature that would explain the EPA programs or active programs in Region 8. Right now this is one of the "to do's" that we haven't really followed up as this point in time is an EPA refresher.

DeBoer then stated that going through his notes from that meeting with Region 8 he found a

notation on a course like LEPC 101. He continued with stating that EPCRA has been around for 25 years and a lot of the people that have been involved with emergency management and EPCRA in North Dakota ... and Jeff Thompson continued the statement by stating that we are losing them, either through retirement or taking other jobs or quitting and moving out of state. There is a new group of people working in emergency management that have never worked in it previously and they need this type of training.

DeBoer then related that we are seeing more and more of an interest. We're lucky here in North Dakota as there is a professional Emergency Management Course provided at the North Dakota State University (NDSU) in Fargo. What we've seen is that the people who graduate from that course at NDSU are very dedicated. They want to work in Emergency Management. He continued with stating that the word has gone out to all of the Emergency Managers in the state, and they have been asked, what type of training would you like to see or what type of training do you need. Is it a basic 101 course on anything or is it everything? Define your priorities, and then maybe the state and/or EPA can come up with and come out and train on. A Basic 101 Course would be good for a brand new LEPC or a county commission that had no idea of an LEPC and EPCRA would be perfect. From there we can then continue on, but it would be a start.

Ms. Reed related, really what you're thinking is, on a local level, or getting a group of community people together and teach them about EPCRA. Train on the rules and regulations and what is required. She stated that this was good information and she will take it back to the Region.

Griggs County Emergency Manager Bob Hook mentioned, I think if you do that, don't be afraid to invest in some of the local emergency managers across the State of North Dakota. There are some very successful people that can provide some good information. When you can add another county's issues into your training, people can relate. You don't want to bring in someone from out of the state that has never to North Dakota or to Cooperstown in Griggs County. Someone from the state, from a different community that's doing something successfully. It just makes it a little easier, for the locals, if we send that local representative out there to do the training, that they understand the local area a little bit better.

Ms. Reed then stated, okay, I've got a lot of information. I'll take this back with me and we'll discuss it among ourselves and respond back to Ray and Jeff about how to implement. We'll call it EPA Refresher, but it really isn't, it's really an EPA 101 for people who haven't been involved previously.

Ms. Reed then provided information on another ruling that just came out that falls under the

Clean Water Act (CWA). It's called the clean water rule, and it's fairly controversial because it's concerning to people, especially in agriculture. You might hear something about it as we go forward. It's trying to clarify what is US waters. What is a tributary and what is a ditch. What is a pond, and when does it, when do the regulations affect those waters and what is excluded. What I would say right now is, I listened to a webinar regarding this issue and really, it was about extensive research that's been done on it. It clarified some of the exemptions to what is and what isn't waters of the US. I would say, it's really pretty unclear at this point. It's kind of murky and it will have to be thrashed out. I will keep you apprised of what occurs with this issue.

Kathleen Spilman then asked Ms. Reed about a comment she made earlier concerning RMP and it being important to North Dakota.

Laura responded that she had and she meant to retract her statement. She related that RMP is one part of a larger program.

Ms. Spilman then related that ammonia and propane are the number 3 and 4 commodities statewide. We've got 24 natural gas processing plants in the state. It is a big deal.

Kathleen then went on to state, the other thing I'll point out is the National Fertilizer Institute (NFI) has a fantastic planning guide for ammonium nitrate (AN). If somebody's looking for concerns, flash distances, that is a wonderful tool. She went on to state that NFI had updated the planning guide, and updated it after the West, TX incident last year so it's up to date. It's got the best available information. These are the guys that make it and transport it for a living so that resource is out there too. Downloadable on the web.

Chairman Wilz then commented we've made it through the agenda on new business, is there anything else that the SERC membership would like to bring up?

Ms. Spilman commented, update on the study for crude oil response capabilities statewide.

Wilz provided the following: As you probably recall from the minutes last time, we talked about Witt O'Brien and the report that they are doing on oil transportation in the State of North Dakota. The report is coming along fairly well. I will tell you I have not seen a draft yet and the reason is, because after the Heimdal derailment, we asked them to take an additional 2-3 weeks. We extended their contract, and tried to do some initial reporting on that particular incident or what we can learn from that incident and put it in the report. So the new due date is around the 8th of July, somewhere around there. But they are telling us they think they will have it done the end of this month so we will get it again in the initial draft and I committed to you at the last meeting, we will get that draft report out to the SERC membership for review and comment. We are really looking forward to that

report.

Chairman Wilz then related to the members that, we did get appropriated over a half million dollars to buy additional resources for the warehousing of emergency supplies. We are hoping that that report will drive some of our investments, because one of the things that report was to do, was to identify existing resources for hazardous material and response as it will relate to oil in the state,

Adjourn

The date for the 108th SERC meeting was set for September 16, 2015 at 1:30 p.m., at the ND Department of Emergency Services-Division of Homeland Security Conference Room, Building 35, Fraine Barracks, Bismarck, North Dakota. A back-up date of September 23rd, 2015 was selected if the meeting scheduled for September 16th cannot be held.

A motion was made by Kathleen Spilman to adjourn, with a second from Curt Zimmerman. The 107rd SERC meeting adjourned at 2:35 p.m.

Respectfully submitted:

_____ - S - _____
Greg Wilz, Chairman